

City of Selah
Council Minutes
December 11, 2018

Regular Meeting
Selah Council Chambers
115 West Naches Avenue
Selah, WA 98942

A. Call to Order Mayor Raymond called the meeting to order at 4:00pm.

B. Roll Call

Members Present: Jeremie Dufault; Jacquie Matson; John Tierney; Roger Bell; Diane Underwood; Russell Carlson

Members Absent: Rachael Glaspie

Staff Present: Donald Wayman, City Administrator; Robert Noe, City Attorney; Dale Novobielski, Clerk/Treasurer; Rick Hayes, Police Chief; Gary Hanna, Fire Chief; Jim Lange, Deputy Fire Chief; Joe Henne, Public Works Director; Jeff Peters, Community Development Supervisor; Andrew Potter, Human Resources Manager; Treesa Morales, Recreation Manager; Monica Lake, Executive Assistant

C. Councilmember Absence – Motion to Excuse

Council Member Tierney moved, and Council Member Underwood seconded, to excuse Council Member Glaspie. By voice vote, approval was unanimous.

D. Pledge of Allegiance

Mayor Raymond led the Pledge of Allegiance.

E. Invocation

Pastor Mark Griesse gave the prayer.

F. Agenda Changes **None**

G. Public Appearances/Introductions/ Presentations **None**

H. Getting To Know Our Businesses

1. Farmer's Daughter Flowers and Marketplace

I. Communications

1. Oral

Mayor Raymond opened the meeting.

Lance Larson, River Canyon Espresso, approached the podium and addressed the Council. He spoke briefly about his family, saying that he and his wife Kristen are the owners of River Canyon Espresso, which they have poured blood, sweat, and tears into building and transforming since taking it over, only to find out after meeting with Public Works earlier that day that construction starting June 1 would have the road closed except to local traffic until September. He quoted from the City's business page on the website and pleaded with the Council to make good on business friendly mantra so they don't have to close the doors to their business on Goodlander.

Public Works Director Henne expressed his disappointment at being blindsided; saying that he told Mrs. Larson when he met with her that morning that he would make every effort to keep that end of Goodlander open.

Whitney Stohr, Selah Downtown Association, approached the podium and addressed the Council. She said that they finished up the Giving Tree today, which sponsored twenty-five local families, and that their lighted parade this year was the biggest one yet. She thanked the City workers and Police Department for helping with the event. She finished by saying that the Selah Downtown Association has partnered with the Selah Chamber of Commerce to put on a Christmas lighting contest to recognize local businesses and residences, and that public nominations could be sent to either her or the Chamber.

Council Member Tierney inquired how many people showed up at the Civic Center after the parade.

Ms. Stohr responded that she didn't know, but they had people calling up to forty-five minutes before parade and a lot more just show up during staging.

Barb Petrea, Selah Community Days Association, approached the podium and addressed the Council. She gave a brief update regarding Community Days, saying that the float and Selah royalty traveled over sixteen hundred miles throughout Washington State, taking ten of sixteen awards and receiving a top tech award. She said that they revamped the Selah Christmas float and did four lighted parades, and that the Selah royalty have been doing a great job going into local nursing homes and helping out. She added that they are working with the City on finding a location for next year and would start again in January for the centennial.

Council Member Dufault felt that, with regard to Mr. Larson's request, they need to make sure that not only will Public Works Director Henne do everything he can to make sure the business stays open, but also the City Administrator and Council Members.

Seeing no one else rise to speak, Mayor Raymond then closed the meeting.

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| 2. | Written | None |
| J. | Proclamations/Announcements | None |
| K. | Consent Agenda | |

Council Member Tierney moved, and Council Member Bell seconded, to add N – 1, N – 2, N – 3, N – 4, N – 7, and N – 8 to the Consent agenda.

Council Member Carlson requested that those items not be placed on Consent.

Executive Assistant Lake read the Consent Agenda.

All items listed with an asterisk (*) were considered as part of the Consent Agenda.

- * 1. Approval of Minutes: November 27, 2018 Council Meeting
- * 2. Approval of Claims and Payroll:
 - Payroll Checks Nos. 82340 – 82358 for a total of \$283,214.79
 - Claim Checks Nos. 72230 – 72304 for a total of \$192,737.67
- * 3. Resolution N – 5: Resolution Authorizing the Mayor to Sign a Legal Advertising Contract with the Yakima Herald-Republic for the 2019 Calendar Year
- * 4. Resolution N – 6: Resolution Authorizing the Mayor to Sign a Contract with the Yakima Valley Conference of Governments for Technical Assistance Services for the Calendar Year 2019

Council Member Bell moved, and Council Member Carlson seconded, approval of the Consent Agenda as read. By voice vote, approval was unanimous.

- L. Public Hearings **None**
- M. General Business
 - 1. New Business **None**
 - 2. Old Business **None**
- N. Resolutions
 - 1. Resolution Revising Rates for 2019 Water Utility Services

Clerk/Treasurer Novobielski addressed N – 1. He reviewed the proposed rates in the Resolution for 2019 Water Utility Services, which reflect a three percent rate increase as determined during the budget process.

Council Member Tierney moved, and Council Member Bell seconded, to approve the Resolution Revising Rates for 2019 Water Utility Services. Roll was called: Council Member Dufault – yes; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

2. Resolution of the City of Selah, Washington, Pertaining to Sewer Rates

Clerk/Treasurer Novobielski addressed N – 2. He reviewed the proposed rates in the Resolution for 2019 sewer rates, which reflect the five percent increase determined to be applicable during the budget process. He noted that the increase primarily affects super marts, restaurants and schools.

Council Member Tierney moved to approve the Resolution of the City of Selah, Washington, Pertaining to Sewer Rates.

Council Member Carlson asked that they define what businesses would be included in a multi-family dwelling.

Community Development Supervisor Peters responded that it would be anything over a duplex.

Council Member Carlson requested the definition of a multi-residential dwelling.

Community Development Supervisor Peters replied that it was defined there as being more than four units on a parcel of land, reading aloud the definition from the Resolution.

Council Member Carlson questioned why they have four residential rates all being charged the same rate except for one category, saying that multi-family is extremely similar to multi-residential, and asked why they are discounting one out of four residential categories.

Community Development Supervisor Peters answered that it's based on residential density, when more units of BOD might be coming out, and also they might be how connected to the system as well, as the cost would be greater or less based on the strength of the waste coming out of that particular facility.

Clerk/Treasurer Novobielski remarked that Public Works Director Henne indicated that a duplex or triplex doesn't have a high density issue and that he believes it came into effect before 1996.

Council Member Carlson inquired as to the reason it came into effect.

Clerk/Treasurer Novobielski replied that those property owners who were affected came and met with the Council, and sold the position that they should be given a diff rate because it wasn't fair to them.

Council Member Carlson stated that, while one way to measure is by BOD, another would be by units, and he fails to see why one category of residential homes receives a discount.

Council Member Tierney pointed out that Council discussed this at length during budget discussions and decisions and they had HLA conduct a study on the matter, adding that these are the best scientific method to pass along to customers and they need to move on as it's already in the 2019 budget.

Council Member Carlson said that he's aware of the reports, as he had been there for the reports and discussions, and that they are choosing to measure by BOD and average out the average resident in home and multi-dwellings. He asked why he should pay a higher rate with fewer people per house than a

multi-residential dwelling, saying that he realizes that the HLA study is a scientific study but it's only based on averaging out a charge by estimating BOD usage, which doesn't make it -a complete study

Council Member Tierney responded that these are the people paid to put the study together and that they as Council, City, and community need to rely on that information. He reiterated that this is already in the 2019 budget, and that it's a little late to hash it out all over again, although they could ask HLA to come back with another study in 2019.

Council Member Carlson felt it made plenty of sense.

Council Member Tierney moved, and Council Member Bell seconded, to approve the Resolution of the City of Selah, Washington, Pertaining to Sewer Rates. Roll was called: Council Member Dufault – no; Council Member Matson – no; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – no; Council Member Carlson – no. Motion failed with four no votes and two yes votes.

Council Member Tierney commented that this begs the question of what do with the 2019 budget now.

Council Member Carlson responded that they could make a budget adjustment to increase the rate to equal rates.

Council Member Matson felt that more information needed to be provided to Council, as the usage is actually lower. She asked if that could be provided so they could see what usage by multi-family is.

Council Member Carlson pointed out that, if they simply charge equal values, the supply of money actually increases.

Council Member Matson asked how he would do that.

Council Member Carlson answered that he would make item B the same as the other rates.

Council Member Tierney remarked that it's always easier to raise taxes.

City Administrator Wayman stated that the City already passed a plan for sewer rates through 2032 that included this method, and that if this appears to be the objective they have to re-approach their entire plan, go back to HLA and tell them their science needs adjusted, then tackle it from another approach and conduct another study to try and find equities they thought they found in the previous studies. He went on to say that it does affect the budget in a meaningful way, and that Council has essentially reversed itself from the previous meeting, and there would be a lot of work redone as a result.

Council Member Bell contended that they already approved the sewer rate at the last meeting and that this vote was only the ordinance for the sewer rate approved at the last meeting.

Council Member Carlson responded that they have the power to make those adjustments as a Council; his argument has been the same the whole entire time, as Council Member Tierney had for years.

Council Member Tierney said that, having seen the evidence put forward by HLA and realizing that the vast majority of those residing in multi-level housing are lower-income individuals, he feels that it's grossly unfair to impose a higher fee on those who can least afford it, especially if Council Members are against higher taxes and fees on their constituents.

Council Member Dufault replied that his objection wasn't to the apartment aspect of it, as he supports the study done by HLA, but to the higher rates on the residential. He said that he had requested a document from HLA that would to reallocate other areas, particularly in the commercial space, that are being subsidized by commercial users, and he would like to see that before making a final support on the rate increase.

City Administrator Wayman thought it interesting that they have one Council Member who thinks the result from a new study would be higher for multi-family and lower for residential, and another who thinks it would be lower for apartment dwellers. He stated that they had a study from HLA, and that to ask them as Council Member Dufault suggested, changing criteria and re-approaching the subject with an artificial measure doesn't deal with facts, and it doesn't deal directly with the BODs if they go away from that.

Council Member Dufault responded that they have been artificially in the wrong direction for several years and he would like to remedy that.

City Administrator Wayman questioned if he wished to correct for past inefficiencies.

Council Member Dufault answered in the affirmative, adding that in past recessionary times businesses were challenged and the residents were asked to subsidize during that time, and now there should be some mitigation to the residents, to pay back the residential users who were subsidizing. .

Public Works Director Henne asked where they said they were doing that, as the question was why are single family residential paying one rate vs apartments paying another.

Council Member Dufault replied that wasn't his issue.

Public Works Director Henne understood that but said that was what was asked, so they brought back the methodology of what the flows were and now suddenly they've been subsidizing businesses. He opined that Council Members keep bringing up new topics.

Council Member Carlson stated that his concern is that the study was based on the law of averages.

Public Works Director Henne responded that was what happens unless they put on meters for discharge.

Council Member Carlson wondered why there would be a discount when they basing it off the law of averages, adding that the reason the discount came into effect is because some landowners came and justified it to Council.

Public Works Director Henne replied in the negative, saying that they came in to request having it looked at, and when they looked at it fifteen years ago they found they were using less.

Council Member Carlson pointed out on average.

Council Member Tierney remarked that it was based on consultant work; they were asked to validate what had been happening for fifteen years.

City Administrator Wayman observed that they have a lot of work to do.

Public Works Director Henne said that they need to find out what they are supposed to do first.

Council Member Underwood asked why they couldn't make their own number, as she knew apartments and dwellings with multiple people were putting out a lot more sewer than her husband and herself.

Council Member Matson commented that her vote was due to the industry rate going down so drastically.

Council Member Tierney reiterated that they approved the budget.

Public Works Director Henne said that they looked at discharge amounts, not quantity, of BODs and total suspended solids, saying that fast food restaurants produce this, schools produce this, and that's how they came up with these three categories. He added that, while they kept the revenues the same, some went down because they were being charged more than they should have, while others weren't being charged as much as they should have, and adding category C allowed more categories to be utilized for these businesses that made it fair.

Council Member Matson said that she understood that, but her concern was the tremendous drop in rates.

Public Works Director Henne replied that the bottom line stayed the same but some were reshuffled to be more appropriate for their fair share.

Council Member Matson asked for confirmation that the bottom line stayed the same.

Public Works Director Henne answered in the affirmative.

Council Member Matson commented that she understands now.

Council Member Carlson asked why, if the goal is to be fairer, was he paying more than two families who live in an apartment.

Public Works Director Henne responded that was a landlord issue.

Council Member Carlson inquired how he could say they are charged a fair rate when he as a homeowner is not being charged a fair rate, asking again why there is a discount.

Public Works Director Henne replied that it was because he doesn't like the word average,

Council Member Carlson responded that he was right, and how could he justify to people who want to buy a home in Selah that they're pro putting roots down if they are charging them more than someone who's more transient. He opined that they can't claim that people who live in apartments have less money.

Public Works Director Henne stated that it was based on flows for residential.

Council Member Carlson wondered if there were cities who charged by dwelling unit rather than BODs.

Public Works Director Henne commented that he didn't but they would debate that for a year now.

Council Member Carlson felt that there were there are more ways to do it, and cities who charge by unit not BODs.

Council Member Matson moved to call for a review vote to approve the Resolution of the City of Selah, Washington, Pertaining to Sewer Rates. Roll was called: Council Member Dufault – no; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – no; Council Member Carlson – no. Mayor Raymond voted yes to break the tie, resulting in four yes votes and three no votes.

Council Member Carlson remarked that his argument has been same argument the whole time, although he has never questioned HLA.

Council Member Dufault state that he just wanted to see the information he requested, as he thinks some of the increases could have been spread out. He expressed appreciation for what Public Works Director Henne was doing.

3. Resolution Revising Rates for 2019 Solid Waste Utility Services

Clerk/Treasurer Novobielski addressed N – 3. He reviewed the proposed rates for 2019, noting that there was a built in four percent increase as determined during the budget process.

Council Member Carlson asked what happened if the usage is greater.

Clerk/Treasurer Novobielski replied that they would pay more.

Council Member Carlson responded that it would be less than an apartment complex.

Clerk/Treasurer Novobielski remarked that they could get a smaller can.

Council Member Carlson asked if he would pay the same price no matter how full it was.

Council Member Tierney pointed out that the increase reflects an increase from the garbage company.

Clerk/Treasurer Novobielski answered in the affirmative, saying that was the primary reason they have an increase in rate, as the County Commissioners have increased landfill tipping fees and the contract says that they can pass that along to their customers.

Council Member Carlson asked if there was any additional increase.

Clerk/Treasurer Novobielski responded that it was just four percent.

Council Member Carlson clarified that he meant above and beyond the BDI increase.

City Administrator Wayman answered in the negative.

Council Member Bell moved, and Council Member Tierney seconded, to approve the Resolution Revising Rates for 2019 Solid Waste Utility Services. Roll was called: Council Member Dufault – yes; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

4. Resolution authorizing the Mayor to sign a Contract for Professional Consulting Services with CWA Consultants for Structural and Non- Structural Building Plan Review for the Calendar Year 2019

Community Development Supervisor Peters addressed N – 4. He said that the Resolution was for a contract with CWA Consulting, who are the City's professional plan reviewers for commercial and residential plans, and that this is an annual contract. He requested that Council approve to have the contract through 2019, noting that CWA has revised some of the ways they do calculations for some of what the actual fees are, which is saving them a dollar or two per plan review.

Council Member Tierney moved, and Council Member Bell seconded, to approve the Resolution authorizing the Mayor to sign a Contract for Professional Consulting Services with CWA Consultants for Structural and Non- Structural Building Plan Review for the Calendar Year 2019. Roll was called: Council Member Dufault – yes; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

Council Member Tierney requested that Community Development Supervisor Peters determine whether there would be another vendor interested in providing those services for the City.

Community Development Supervisor Peters remarked that their other plan reviewer is the City of Yakima, with longer term contract that they can terminate with appropriate notice. He went on to say that they were originally trying to allow them to do commercial reviews as well, but some of the code differences created a temporary impasse, and as they would be presenting a new 2018 building code soon, his department would be bringing back a slew of amendments, at which time they could try to marry up some of the exemptions and work through that with Yakima. He added that he could research and see if there are other contractors on this side who do commercial.

City Administrator Wayman commented that they have had a very good experience with CWA, and he doesn't see a need to terminate that unless they find something better.

Community Development Supervisor Peters noted that they have provided them consultation services where they haven't charged the City as they feel that's good business.

- * 5. Resolution Authorizing the Mayor to Sign a Legal Advertising Contract with the Yakima Herald-Republic for the 2019 Calendar Year
- * 6. Resolution Authorizing the Mayor to Sign a Contract with the Yakima Valley Conference of Governments for Technical Assistance Services for the Calendar Year 2019
- 7. Resolution authorizing the Mayor to sign a Fuel Tax Grant Agreement with the Washington State Transportation Improvement Board (TIB) for the FY 2020 Overlay Project, Multiple Locations, TIB project number 3-E-182(004)-1

Public Works Director Henne addressed N – 7. He said that they did an application to TIB in August for grinding on North First Street from Fremont to Goodlander, which the City would have to match with approximately thirty-four thousand dollars to grind the outside lanes and remove and replace the curb, gutter and sidewalk from just past Wernex Loop. He noted that the agreement is called a fuel tax agreement, which they agree will not be spent on lobbying or other things, and requested approval.

Council Member Carlson moved, and Council Member Matson seconded, to approve the Resolution authorizing the Mayor to sign a Fuel Tax Grant Agreement with the Washington State Transportation Improvement Board (TIB) for the FY 2020 Overlay Project, Multiple Locations, TIB project number 3-E-182(004)-1. Roll was called: Council Member Dufault – yes; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

- 8. Resolution authorizing the Mayor to Sign an Agreement with Central Washington Insurance Agency, Inc. for Brokerage Services

City Administrator Wayman addressed N – 8. He said that this is an annual contract rolled over from last year with CWIA, listing the services provided by Jamie Morford. He went on to say that Mr. Morford has been very helpful in their efforts to mitigate claims and work with Clear Risk to collect claims that are sticky; he's the first face that a claimant sees from the City and the buffer that allows staff to deal with issues in a standoff situation so they can deal with claims in a more efficient manner.

Jamie Morford, Central Washington Insurance Agency, Inc., approached the podium and addressed the Council. He talked briefly about dealing with claimants and liability situations, saying that it's nice to have another face than the City to talk with people, and that the Goodlander fire is an example of making sure they have updated values for every location the City owns, as the Goodlander pump itself had not been listed on the policy but Clear Risk ended up taking care of it.

City Administrator Wayman remarked that relationship was something that could have gone south but Mr. Morford's relationship with Clear Risk saved the City from going to court to make a claim.

Mr. Morford stated that this year Clear Risk has been on the hook for one point one million in claims, and they are going to shop out to other pools to see what's out there, as even though Clear Risk has done a good job for the City, every tier of their three tier system had a significant increase this last year as the cost of public liability went up. He noted that, being in tier two, the City took a twenty percent increase if they factor in industry increases and recent claims.

City Administrator Wayman gave an update on the Speyers pump house fire, saying that it was in the trusses and roof, and didn't have significant damage to either equipment or electronics. He said that they have winterized it and are waiting for appraisals on the cost to fix it, which would likely happen in the spring.

Mr. Morford commented that there's a five year loss ratio in the insurance industry.

Council Member Carlson commended Mr. Morford for the work he's doing on behalf of the City, saying that he has done a fine job.

Council Member Dufault moved, and Council Member Carlson seconded, to approve the Resolution authorizing the Mayor to Sign an Agreement with Central Washington Insurance Agency, Inc. for Brokerage Services. Roll was called: Council Member Dufault – yes; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

O. Ordinances

1. Ordinance Amending the 2018 Budget for Miscellaneous Adjustments

Clerk/Treasurer Novobielski addressed O – 1. He reviewed the items listed, referring Council to the AIS for background information on the reasons behind the final budget adjustments.

Council Member Tierney moved, and Council Member Bell seconded, to approve the Ordinance Amending the 2018 Budget for Miscellaneous Adjustments. Roll was called: Council Member Dufault – yes; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

2. Ordinance Amending Selah Municipal Code Chapter 4.32. Business Registration, Section 4.32.020, Definitions, to Include State Mandated Changes to the Definition of “Engaging In Business” and Amending Section 4.32.030, Exemptions, to Include the State Mandated Threshold Exemption to Licensing Requirements, Providing for Severability; and Establishing an Effective Date

Clerk/Treasurer Novobielski addressed O – 2. He explained that the 2018 State legislature decided they would let the State Department of Revenue (DOR) take over business license handling for entities within the State, giving a brief background on Selah's history with going through the State and running the licensing program in-house. He said that the legislature has imposed these requirements, and they are required by law by January 1 to adopt the changes in the description of engaging in businesses and types of businesses that licenses are applicable to, and indicate whether they were going with the minimum level of two thousand dollars as a threshold and whether they would exempt businesses from needing a business license. He remarked that they went with the level of two thousand but only applied it to out of town businesses, and that the DOR has made an announcement for how they are bringing all businesses into this partnership. He went on to say that the legislature created an exemption with three cities in the Puget Sound area who process business licenses for their members under a group named File Local, and that this legislation allows for cities to either become a participant with File Local by July 1 or become part of the partnership program. He added that he would be coming back with additional information regarding the File Local group, as he feels it something to look at to see what options they have.

Council Member Tierney asked if there was anything that would allow cities in Eastern Washington to form something similar to western Washington.

Clerk/Treasurer Novobielski didn't believe so, adding that File Local would like to get more members, and he has contact information for another smaller city that is already part of that group to see if they're satisfied. He noted that the legislation only allows for File Local before the deadline.

Council Member Tierney inquired who handling the licensing at this time.

Clerk/Treasurer Novobielski responded that it's handled in house by Utility Billing Specialist Bigby.

City Administrator Wayman added that it goes through all departments for review and recommendation.

Clerk/Treasurer Novobielski clarified that Utility Billing Specialist Bigby handles the applications.

City Administrator Wayman remarked that's been nice and he would hate to see it go away.

Council Member Carlson wondered if they had approached YVCOG for recommendations or knowledge of other groups.

City Administrator Wayman didn't think they had a dog in this fight.

Council Member Dufault inquired as to the penalty for not complying.

Clerk/Treasurer Novobielski answered that they aren't allowed to issue any licenses until they comply.

City Attorney Noe said that the legislation mandates that one must be part of either File Local or the DOR partnership, but it doesn't say what happens if you don't comply.

Community Development Supervisor Peters commented that some of the challenges with the State process is a lot of business license process is linked to planning and zoning reviews, so if they were

saying they want the State to do that they know nothing about locality or zoning but would allow entities to get a new business license without getting local information or requirements.

Council Member Tierney observed that basically what they are saying is that by doing what the State wants them to do here; anyone can submit a business license to open a marijuana store in the City of Selah.

Community Development Supervisor Peters responded that it would be a license to open a business but it doesn't preempt local zoning laws, which would be like now where the State gives a license to operate but the business owner would have to talk to the City.

City Administrator Wayman commented that they are still in the approval chain but he thinks that the main issue would be time delays in issuing a license.

Council Member Dufault remarked that it's an inconvenience for business owners trying to get a business up and running.

City Administrator Wayman agreed, saying that they had those issues in the past and that was why they took it back.

Council Member Tierney wondered what would happen if they didn't approve this and continued doing business as usual.

City Administrator Wayman replied that the licenses would not be valid.

Council Member Tierney responded that it would only be invalid according to the State.

Council Member Dufault asked City Attorney Noe if they could postpone acting on it a bit longer, as there's no penalty to keep doing business as usual. He added that he would take it to the legislature.

City Attorney Noe responded that there are two different issues here, one being whether they have to opt in and the other definition provisions that need to be adopted by January 1. He didn't feel that the provisions were problematic, although he did see problems with whether they have to opt in to the program or not.

Council Member Dufault inquired if the definitions change the ability of business owners to come in and obtain a business license with the City.

City Attorney Noe replied in the negative, saying that these are simply definitions for engaging in business and the definition of an exempt business, put together by a focus group the State Created. He felt that the definitions were fine, and that they have time to look at whether the City would be forced to opt into one of the programs.

Council Member Dufault commented that he thought it was required by January 1, 2019.

Clerk/Treasurer Novobielski responded in the negative, saying that he believes the date is July 1, 2019.

Council Member Bell observed that Council chose to issue business licenses so they would be more business friendly and be able to accommodate local people better, and now they seem to be debating whether to let the State take that back. .

City Attorney Noe replied that it is a State law.

City Administrator Wayman recommended that Council pass this Ordinance, adding that they are going to work to join this group if at all possible, and in the meantime would examine the goodness of pushing back on the matter. He added that there may be changes in State legislature between now and July 1.

Council Member Dufault hoped that the mandates wouldn't keep coming down, as even File Local would still be onerous and lose that local connection of coming into the City.

Council Member Dufault moved to approve the Ordinance Amending Selah Municipal Code Chapter 4.32. Business Registration, Section 4.32.020, Definitions, to Include State Mandated Changes to the Definition of “Engaging In Business” and Amending Section 4.32.030, Exemptions, to Include the State Mandated Threshold Exemption to Licensing Requirements, Providing for Severability; and Establishing an Effective Date.

Council Member Tierney asked about the cost involved.

Council Member Carlson said that there isn't any yet.

Clerk/Treasurer Novobielski remarked that there would be additional fees for processing.

City Administrator Wayman commented that some of the revenue will come back to Selah but the State would take a bigger cut.

Council Member Carlson seconded to approve the Ordinance Amending Selah Municipal Code Chapter 4.32. Business Registration, Section 4.32.020, Definitions, to Include State Mandated Changes to the Definition of “Engaging In Business” and Amending Section 4.32.030, Exemptions, to Include the State Mandated Threshold Exemption to Licensing Requirements, Providing for Severability; and Establishing an Effective Date. Roll was called: Council Member Dufault – yes; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

Council Member Dufault said that, in reviewing the minutes from the last meeting, it says that the general sewer plan was passed, and he wondered if the sewer connection fees were passed as well.

Mayor Raymond responded in the negative.

City Administrator Wayman commented that anyone who is interested would have the opportunity to attend a presentation in February, and that he is working with Public Works to get a communication plan with the development community to help them understand what's coming at them.

Council Member Dufault requested confirmation that the sewer connection fees of six thousand plus had not been imposed.

City Administrator Wayman replied not yet. He went on to say that they are looking at equities here, as there are multiple developments in the City going on at the moment and they don't think it a fair approach to tell them that they now have to pay sixty-two hundred dollars for connection. He said that they are looking at time phase for charging and whether it should be a gradual move up or jump right to the full amount after a certain period of time. He added that it would be presented to Council as a gradual approach as a matter of fairness, although they could legally put the new fees in place immediately.

Council Member Dufault agreed, saying that his understanding was that it had not been passed and he'd had questions on the matter the past couple weeks.

P. Public Appearances **None**

Q. Reports/Announcements

1. Departments

Police Chief Hayes said that they started a reserve academy on September 4th and ended up with twelve candidates, three for Selah and the remainder from around the County. He went on to say the State mandates a minimum of two hundred forty-nine point five hours, with Selah doing three hundred fifty hours in their academy, which was almost completely taught and trained by their officers. He noted that the reserve officers would be graduating in February. He finished by saying that the Citizens Academy would be starting on February 4, and he would like to get more Council Members attending.

Council Member Carlson expressed curiosity on the effect they have seen with Yakima hiring heavily.

Police Chief Hayes responded that his department seems to do better than they do, drawing local graduates who want to stay home, and that most of the people they've been getting that apply are already in Selah.

Council Member Dufault inquired if he had seen any pushback on I-940 implementation.

Police Chief Hayes answered that, while he knows the current state of the measure is problematic to them, there are changes already in the works that would put language in to make it palatable to the law enforcement community and the citizens.

Council Member Dufault asked for his thoughts on Initiative 1639.

Police Chief Hayes replied that he wasn't too worried about 1639, and that he thinks people will be okay with the changes to be made. He added that he heard those changes were agreed upon prior to passage of the Initiative.

Fire Chief Hanna said that they are starting the new volunteers January 1 but the numbers are way down from last year, with only six applicants this year. He added that they would be continuing efforts to recruit but they did lose the high school program.

Council Member Carlson requested that he expand on why that was lost.

Fire Chief Hanna responded that the WAC says that they can have those members but they can't be put in an environment immediately dangerous to their health or where they might be exposed to a communicable disease. He noted that they are working on a possible program. He thanked Council Member Dufault for his service to Selah.

Council Member Carlson inquired what the Council could do to assist with the volunteer program.

Fire Chief Hanna responded that they could pass the word along, adding that any time his officers have an opportunity to speak to the public they are always pushing that, as word of mouth is a great source.

City Administrator Wayman remarked that their issues are the more rural areas further out in the district.

Fire Chief Hanna commented that volunteerism is down across the nation and the culture is changing, adding that people aren't choosing that as a vital work until they can work somewhere full-time.

Community Development Supervisor Peters said that the building department had been fairly busy November and into December, although they are seeing that come to an end now, and that they are still working with the pool contractors to keep them on schedule. He went on to say that there would be some amendments to Title 10 for parking standards to bring them into compliance, which would support some elements of the subarea plan and upcoming land use uses within the City of Selah, with a public hearing at the January 18 Planning Commission meeting then going to Council late January or early February. He spoke briefly about the Selah School District project, saying that they have reviewed the SEPA, traffic study and environmental review list and request additional information to evaluate the increase in children and the impact to City streets, after which they would proceed with processing the decision and conducting a public hearing.

Council Member Tierney asked if there were impact fees planned for street improvements.

Community Development Supervisor Peters responded that the City doesn't have an impact fee ordinance but they are allowed to collect a pro rata contribution for traffic impact. He listed the three intersections being analyzed; saying that if they have planned improvement the City is allowed to make the Selah School District pay for their fair share of the trips and money generated by each trip through the intersection.

Council Member Tierney inquired if the path includes First Street to the kindergarten.

Public Works Director Henne replied that there was no information on how the buses would travel.

Council Member Tierney wondered if the traffic counts included parents picking up and dropping off.

Public Works Director Henne stated that he asked that as well.

Community Development Supervisor Peters said that himself, Code Enforcement Officer Barnett, and City Administrator Wayman had noticed a number of different businesses over the last three to four months who don't have an enclosed dumpster, and that after legal counsel reviewed ordinances and case law, and determined that City has right to require enclosures, they would be sending out letters of intent and a reasonable timeframe to comply.

Council Member Matson asked if minimum sizes would be included in the letter.

Community Development Supervisor Peters responded in the affirmative, saying that Code Enforcement Officer Barnett included standard size enclosures in the letter, and if a business had a different size they would bring in a drawing for approval.

Council Member Matson inquired if that included recycling dumpsters.

Community Development Supervisor Peters didn't think it specified either way.

City Administrator Wayman remarked that what they have is businesses with dumpsters in rights-of-way such as alleys who are moving dumpsters off their property to the City's right-of-way, and the intent is to get those businesses to place their commercial dumpsters into enclosures onto their own properties. He expressed hope that they would see good results in the next year with regard to cleaning up the City and making it look more reasonable.

Public Works Director Henne informed Council that they had a fire at Well Six last Thursday, the Speyers Road fire that Mr. Morford had referred to, which burned the trusses pretty good, although the Fire Department prevented the entire building from being destroyed. He added that they screwed some two by six uprights to the charred rafters, which should survive any kind of winter load.

Council Member Underwood inquired as to the cause of the fire.

Public Works Director Henne answered that one of the space heaters hanging from the ceiling burned and the breaker didn't trip.

Council Member Underwood asked why they use space heaters.

Public Works Director Henne answered that they use space heaters suspended from the ceiling for heat as the chlorine room only about six foot by ten foot. He remarked that they had two contractors come in that day to look it over and prepare estimates. He said that the first TIB application was successful, although neither the Fremont safe routes to school project nor the BUILD application were selected. He added that he has requested a debrief meeting with US DOT regarding the BUILD application, as he would like to know where the application was insufficient.

Clerk/Treasurer Novobielski gave a quick property tax update, saying that they ended up at ninety-nine percent of budget.

Council Member Tierney wondered if the audit had been completed yet.

Clerk/Treasurer Novobielski replied that they are currently trying to schedule an exit conference.

Recreation Manager Morales said that the Christmas event was a huge success, with an estimated thousand people served along with crafts, treats, a movie and vendors. She remarked that Hot Rods is coming up and is in the Christmas section of Cruisin' magazine and on their schedule. She went on to say that a gentleman who makes cribbage boards would make one for the winner of car show, and that with next year being Selah's Centennial everything, including events, are centered around the Centennial logo. She added that there would be a specific event for the Centennial on April 4 at the Civic Center.

City Administrator Wayman asked about the cost.

Recreation Manager Morales responded that they are working on bids to get accurate numbers and would let them know if there was a difference in estimates and why.

City Administrator Wayman noted that they were anticipating between fifteen and twenty thousand dollars as a budget.

Human Resources Manager Potter said that a future council member vacancy was posted last week, with application accepted through the first week of January, and they are looking forward to the second Council Meeting in January for interviews. He commented that he also posted a position for records management specialist last week, as Cindy Graziano would be retiring mid-January, and that this week he would be posting another position at the Wastewater Treatment Plant due to a retirement there.

Council Member Tierney inquired as to the position at the Wastewater Treatment Plant.

Human Resources Manager Potter replied that they would be looking for an entry level mechanic to be trained over time to be an operator.

City Administrator Wayman added that the person would have to come with skill sets.

Human Resources Manager Potter noted that the last two hires they had success with people who had hard skills already who were then trained in testing procedures.

Council Member Carlson wondered why the interviews wouldn't be at the first Council Meeting.

City Administrator Wayman explained that they were trying to get a nice window for applicants and that because of the holiday season people may not be paying attention, adding that they already have two written applications in hand.

Council Member Carlson asked if they need to extend that window.

Human Resources Manager Potter responded that they left it open four and a half weeks, to close on the Friday prior to the first Council Meeting, and that because the amount of time given is dependent on the

number of people who apply, they need to know in advance so they can bring a proposal to the first Council Meeting to handle it.

City Attorney Noe had no report but wished Council Member Dufault the best of luck at the State level.

2. Council Members

Council Member Dufault thanked everyone, saying that it has been quite an honor, he couldn't have had a better group of people to learn and become friends with, and it's been a real pleasure. He expressed a wish that the State legislature could work like this Council, adding that Mayor Raymond does a great job and he hopes that she sticks around for a while as the citizens of Selah are better for it. He commended City Administrator Wayman for the work he does, and for he and his wife investing in the community and putting down roots here rather than using it as a transitional job before moving to a bigger city. He expressed admiration for the City staff, saying from his perspective that it's cool to go to the different departments, get to know people professionally and on a personal level. He thanked the citizens, especially those who attend so many meetings, for being so invested in the community, and that he looked forward in his new position to helping the City and would be back after his session.

Council Member Matson told Council Member Dufault she would miss him. She expressed thanks to the Police Department for noticing that the front door of her house was wide open this past weekend and making sure everything was secure.

Council Member Tierney spoke briefly about the LTAC meeting held the previous week, saying that they kind of approved some figures to bring forward to Council but were surprised by some of the numbers from the Visitors & Convention Bureau. He said that it was a pleasure to work with Council Member Dufault and that he supports his endeavors as he moves forward to the State level.

Council Member Bell remarked that there have been a lot of good compliments from the pool contractor commending the Police Department. He thanked Recreation Manager Morales and Public Works Utility Supervisor Jones for attending the weekly construction meetings, saying that the pool should be on schedule for completion in mid-May. He encouraged everyone to participate in the pool operations fundraiser on February 2nd.

Council Member Underwood echoed her fellow Council Members in wishing Council Member Dufault well in his new position. She said that there would be a blood drive at the Civic Center Thursday.

Council Member Carlson said that there would be a YVCOG meeting tomorrow in Yakima. He spoke briefly about the blessing provided to his in-laws and the community of Paradise, California, saying that there are people in this community and around the world who will bend over backward to help these people in need. He expressed gratefulness for the generosity of the community and the City staff, and wished Council Member Dufault well.

3. City Administrator

City Administrator Wayman gave a final briefing on the audit, saying that there would be some recommendations and he's pleased with the idea that there won't be any fines. He went on to say that

every time there was a question during the audit Clerk/Treasurer Novobielski got the answer for them. He said that Bill Harris brought forth a proposal for the half acre behind the motel, to build a food bank and clothing center, and requested that Council consider the idea. He wished Council Member Dufault good luck, saying that he was a pleasure to work with and he doesn't expect him to remain there too long before moving up the ladder.

4. Boards **None**

5. Mayor

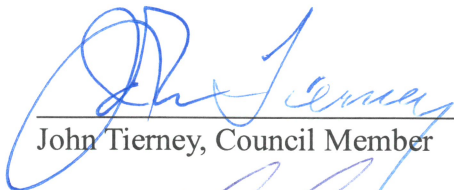
Mayor Raymond wished Council Member Dufault the best of luck, adding that everything she had to say was summed up by a customer at King's Row today who said they have such a happy city.

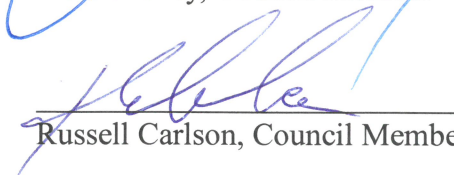
P. Executive Session **None**

Q. Adjournment

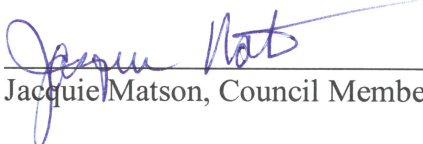
Council Member Carlson moved, and Council Member Tierney seconded, that the meeting be adjourned. By voice vote, approval was unanimous.

The meeting adjourned at 6:04pm.

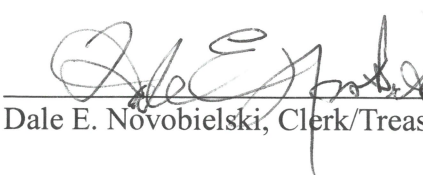

John Tierney, Council Member

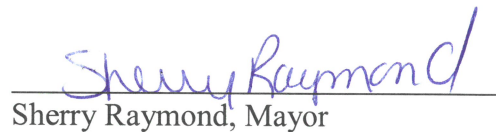

Russell Carlson, Council Member

Jeremie Dufault, Council Member


Jacquie Matson, Council Member

ATTEST:


Dale E. Novobielski, Clerk/Treasurer


Sherry Raymond, Mayor


Roger Bell, Council Member

Diane Underwood, Council Member

EXCUSED
Rachael Glaspie, Council Member